

1
2 **DEPARTMENT OF HEALTH**
3 **MEDICAL QUALITY ASSURANCE**
4 **BOARD OF NURSING HOME ADMINISTRATORS**

5
6 **MINUTES – DRAFT**
7 **GENERAL BUSINESS MEETING**
8

9 **Renaissance Tampa International Plaza Hotel**
10 **4200 Jim Walter Boulevard**
11 **Tampa, Florida**

12
13 **October 11, 2013**
14

15 **General Board Business started: 9:01 a.m.**
16

17 **CALL TO ORDER:**

18 Ms. Patricia Freeman, Chair, called the meeting to order at 9:01 a.m. Those present for all or part
19 of the meeting included the following:
20

21 **MEMBERS PRESENT:**

22 Patricia Freeman, RN, BS, NHA, Chair
23 Robert Rosenthal, NBA, NHA, Vice-Chair
24 Jeri Francoeur, MS
25

26 **STAFF PRESENT:**

27 Bill Miller, Board Executive Director
28 Sharon Guilford, Program Operations Administrator
29

30 **BOARD COUNSEL:**

31 Lawrence Harris, Assistant Attorney General
32 Office of Attorney General
33

34 **COURT REPORTER:**

35 Dempster Berryhill (813) 229-8225
36

37 **APPROVAL OF MINUTES:**
38

39 **June 7, 2013 – Full Board Meeting**
40

41 **Ms. Francoeur moved to approve the above minutes. This motion was seconded and carried 3/0.**
42

43 **General Board Business ended: 9:05 a.m.**

44 **Applications Started: 9:05 a.m.**
45

46 **PETITION FOR VARIANCE/WAIVER:**
47

48 **Dionisio Bencomo – Rule 64B10-15.0021, F.A.C. – Approved Providers**
49

50 Mr. Bencomo was neither present nor represented by counsel.
51

1 Mr. Harris provided an overview of the Petition for Variance/Waiver of Rule 64B10-15.0021,
2 F.A.C. Mr. Bencomo had taken a seminar that was not board approved by Select Medical titled
3 Select Medical's 15th Annual CEO and Medical Director Conference. The seminar was held
4 April 11-13, 2013, in which he completed 11.75 hours continuing education credits.

5
6 Discussion ensued.

7
8 **Mr. Rosenthal moved to deny Mr. Bencomo's Petition for Variance/Waiver of Rule 64B10-**
9 **15.0021, F.A.C., for failure to provide evidence of a financial hardship according to Chapter**
10 **456.036, F.S. The motion was seconded and carried 3/0.**

11
12 **APPLICANT'S PRESENTED FOR BOARD REVIEW:**

13
14 **Inas Ali – NHA**

15
16 Ms. Ali was present, sworn but was not represented by counsel.

17
18 Ms. Freeman provided an overview of the application. She indicated that the applicant received
19 her Masters degree in Health Administration (general track) not equivalent to Health Care
20 Administration or Health Services Administration. The applicant had completed a 1,000 hour
21 AIT Program; however, due to the degree received she will need to complete the 2,000 hour AIT
22 Program. She also had worked at Kindred Health Care with fewer than 60 beds and was not
23 under direct supervision.

24
25 Ms. Ali addressed the board.

26
27 Discussion ensued.

28
29 Ms. Freeman stated that the applicant has met the educational requirements; however, she had
30 failed to meet the experience requirements.

31
32 **Ms. Freeman moved to conditionally approved Ms. Ali's application for licensure, upon**
33 **submitting documentation from Kindred Hospital indicating she was the nursing home**
34 **administrator for at least one year within 30 days from the filing of the Final Order. The**
35 **motion was seconded and carried 3/0.**

36
37 **Brandon R. Dresser – NHA**

38
39 Mr. Dresser was present, sworn but was not represented by counsel.

40
41 Ms. Freeman provided an overview of the application. She indicated that the applicant had
42 submitted for review the one year of executive management experience under Rule 64B10-
43 11.002(2)(b)2., F.A.C. Therefore, requested Mr. Dresser and his supervisor (NHA Tyler Sununu)
44 to attend the next board meeting.

45
46 Mr. Dresser addressed the board.

47
48 Discussion ensued.

49
50 **Ms. Freeman moved to table Mr. Dresser's application for licensure to review a document**
51 **from Mr. Sununu prior to taking action. The motion was seconded and carried 3/0.**

1
2 **Pamela J. Gambardella – NHA**
3

4 Ms. Gambardella was present, sworn but was not represented by her counsel, Thomas H.
5 Courtney, Esq. Also present and sworn was her supervisor, Ms. Diane Stone, Executive
6 Administrator with St. Johns Nursing Center.
7

8 Mr. Harris requested Ms. Gambardella if she was still being represented by Mr. Courtney. If so,
9 she has the right to have her counsel present.
10

11 Ms. Gambardella stated that she was still being represented by Mr. Courtney. She also agreed to
12 move forward with the action of her application without having her attorney present.
13

14 Ms. Freeman provided an overview of the application. She indicated that the applicant had
15 submitted for review the one year of executive management experience under Rule 64B10-
16 11.002(2)(b)2., F.A.C. After review of the application and documentation it appeared the
17 applicant did not meet the current licensing requirements outlined in Chapter 468.1695(2)2.2b,
18 F.S.
19

20 Ms. Gambardella and Ms. Stone addressed the board.
21

22 Discussion ensued.
23

24 Ms. Gambardella and Ms. Stone had provided testimony under sworn oath at least one year of
25 management experience under Rule 64B10-11.002(2)(b)2., F.A.C.
26

27 The members neither believed Ms. Gambardella nor Ms. Stone had met the burden of proof with
28 the oral (under oath) and written comments.
29

30 Ms. Freeman requested if Ms. Gambardella wanted to withdraw her application in lieu of
31 receiving a denial on her record.
32

33 Ms. Gambardella stated that she would not withdraw her application and determine the next
34 avenue.
35

36 **Ms. Freeman moved to deny Ms. Gambardella's application for licensure, for failure to**
37 **meet the education and experience qualification under Chapter 468.1695, F.S. The motion**
38 **was seconded and carried 2/1 with Ms. Francoeur opposed.**
39

40 **Frank L. Pascoe – NHA**
41

42 Mr. Pascoe was neither present nor represented by counsel.
43

44 Ms. Freeman provided an overview of the application. She indicated that the applicant may meet
45 the qualifications for licensure but she had concerns with the previous discipline on his license
46 that was Null & Void in 1994.
47

48 Discussion ensued.
49

50 Ms. Freeman stated that Mr. Pascoe has the appropriate degree and one year of executive
51 management experience.

1
2 Further discussion ensued.
3

4 **Mr. Rosenthal moved to issue an order to require Mr. Pascoe's personal appearance within**
5 **the next two board meetings, failure to appear will result in the denial of his application, or**
6 **he may withdraw his application for licensure. The motion was seconded and carried 3/0.**
7

8 **Iyvonne M. Schumaker – NHA**
9

10 Ms. Freeman stated that Mr. Schumaker had withdrawn her application.
11

12 **Brian J. Smith – NHA**
13

14 Mr. Smith was present, sworn but was not represented by counsel. Ms. Trisha Robinson was also
15 present and sworn.
16

17 Ms. Freeman provided an overview of the application. She questioned his one year management
18 experience and the duties and responsibilities.
19

20 Discussion ensued.
21

22 Ms. Freeman stated that the letter needs to be more specific on the duties and responsibilities with
23 regards to the executive management experience with examples.
24

25 Ms. Freeman stated that Mr. Smith may voluntarily waive his 90 days to provide additional
26 information.
27

28 Mr. Smith agreed.
29

30 **Ms. Freeman moved to voluntarily waive his 90 days to allow Mr. Richard Soehner provide**
31 **a letter detailing his position and role as the assistant nursing home administrator and**
32 **require the personal appearance of the current nursing home administrator at the next**
33 **board meeting. The motion was seconded and carried 2/1 with Ms. Francoeur opposed.**

34 **Stephen A. Sugar – NHA**
35

36 Mr. Sugar was present, sworn but was not represented by counsel.
37

38 Ms. Freeman provided an overview of the application. She indicated that the applicant had
39 submitted for review the one year of executive management experience under Rule 64B10-
40 11.002(2)(b)2., F.A.C. After review of the application and documentation it appeared the
41 applicant did not meet the current licensing requirements outlined in Chapter 468.1695(2)(b)2b,
42 F.S.
43

44 Mr. Sugar stated that he had submitted additional information to the board.
45

46 Discussion ensued.
47

48 Ms. Freeman stated that Mr. Sugar may voluntarily waive his 90 days to allow the former and
49 current nursing home administrator to appear before the board.
50

51 Mr. Sugar agreed.

1
2 **Ms. Freeman moved to voluntarily waive his 90 days to allow his former and current**
3 **nursing home administrator to personally appear at the next meeting. The motion was**
4 **seconded and carried 2/1 with Ms. Francoeur opposed.**
5

6 **Melissa L. Wiseman – NHA**
7

8 Ms. Wiseman was present, sworn but was not represented by counsel. Mr. Douglas Webb, NHA
9 was also present and sworn.
10

11 Ms. Freeman provided an overview of the application. She indicated that the applicant had
12 submitted for review the one year of executive management experience. However, he needed an
13 additional five months of experience as an Assistant Administrator. Mr. Douglas Webb, NHA
14 with Glades Health Care Center, had submitted a revised letter confirming the one year of
15 executive management experience.
16

17 Ms. Wiseman and Mr. Webb addressed the board.
18

19 Discussion ensued.
20

21 Ms. Francoeur was not present during the discussion and action of the application.
22

23 **Ms. Freeman moved to approved Ms. Wiseman's application for licensure. The motion was**
24 **seconded and carried 2/0.**
25

26 Ms. Francoeur returned to the meeting.
27

28 **Alexandra D. Zabroske – NHA**
29

30 Ms. Zabroske was present, sworn but was not represented by counsel. Mr. David Slutzker, NHA
31 was present, and sworn.
32

33 Ms. Freeman provided an overview of the application. She indicated that the applicant had
34 submitted for review the one year of executive management experience. However, she could not
35 determine whether the documentation meets the one year executive management requirements.
36

37 Ms. Zabroske and Mr. Slutzker addressed the board.
38

39 Discussion ensued.
40

41 **Mr. Rosenthal moved to approved Ms. Zabroske's application for licensure. The motion**
42 **was seconded and carried 3/0.**
43

44 **Tyrone Oliver – AIT**
45

46 Mr. Oliver was neither present nor represented by counsel.
47

48 Ms. Freeman provided an overview of Mr. Oliver's request for an extension for up to one year.
49

50 Discussion ensued.
51

1 **Ms. Francoeur moved to approve Mr. Oliver's request for an extension until January 1,**
2 **2014. The motion was seconded and carried 3/0.**

3
4 **Brandon R. Dresser – NHA (continued)**

5
6 The board continued their discussion of Mr. Dresser's application.

7
8 Mr. Harris stated on the record that Mr. Dresser was still under oath.

9
10 Ms. Freeman stated that the members have had an opportunity to review the additional letter.

11
12 Several of the members still could not make a determination of his qualifications; therefore, made
13 the following motion:

14
15 Ms. Freeman stated that Mr. Dresser may voluntarily waive his 90 days to provide the additional
16 documentation.

17
18 Mr. Dresser agreed.

19
20 **Mr. Rosenthal moved to approve Mr. Dresser's request to voluntarily waive his 90 days to**
21 **provide additional documentation to further clarify his experience performing in the**
22 **executive management position. The motion was seconded and carried 3/0.**

23
24 **Algenus J. Spiers, NHA**

25
26 Mr. Spiers was present, sworn but was not represented by counsel.

27
28 Ms. Freeman provided an overview of the application. She indicated that the applicant had
29 submitted for review an application by endorsement; however, it appears he does not qualify in
30 Florida under this category. He also had completed 1,000 hours of training and was determined
31 to be similar training in Florida.

32
33 Mr. Spiers addressed the board.

34
35 Discussion ensued.

36
37 **Mr. Rosenthal moved to conditionally approve Mr. Spiers application, upon the verification**
38 **of the 1,000 hour training program completed in Georgia and shall submit verification**
39 **within 30 days of the filing of the Final Order. The motion was seconded and carried 3/0.**

40
41 **Applications ended: 1:45 p.m.**

42 **General Business started: 1:45 p.m.**

43
44 **BOARD COUNSEL'S REPORT:**

45
46 **Rules Status Report**

47
48 Mr. Harris provided an overview of the report.

49
50 **PUBLIC HEARING – Rule 64B10-11.002, F.A.C. – Eligibility for Licensure**

1 Mr. Harris provided an overview of the recommended and approved language by the board. He
2 indicated that he made several modifications to the rule according to the JAPC Correspondence.

3
4 BOARD COUNSEL SUGGESTED REVISIONS
5 Resulting from JAPC Correspondence and Rule Hearing
6 September 11, 2013
7

8 **64B10-11.002 Eligibility for Licensure.**

9 (1) Required Examinations.

10 (a) The Board approves the Nursing Home Administrators Examination developed and
11 administered by the National Association of Boards of Examiners of Nursing Home
12 Administrators.

13 (b) In addition to the national examination referenced in paragraph (1)(a) above, each
14 applicant for licensure shall also be required to take an examination on the laws and regulations
15 of the State of Florida which governs the practice of nursing home administrators.

16 (2) To establish eligibility for licensure as a nursing home administrator by examination
17 under Section 468.1695, F.S., the applicant must successfully pass the required examinations in
18 subsection (1), and must provide that the applicant holds:

19 (a) A baccalaureate degree from an accredited college or university with a major in health
20 care administration, health services administration, or an equivalent major, or has credit for at
21 least 60 semester hours in subjects as defined under Rule 64B10-11.007, F.A.C.; and

22 1. Completed a college-affiliated or university-affiliated internship of at least 650 hours in a
23 skilled nursing facility that has at least 60 beds; or

24 2. Completed a 1,000-hour nursing home administrator-in-training program approved by the
25 Board; or

26 (b) A baccalaureate degree from an accredited college or university; and

27 1. Completed a 2,000-hour nursing home administrator-in-training program approved by the
28 Board; or

29 2. Has one year of supervised direct management experience that was not in a training
30 program or internship.

31 a. Supervised direct management experience is, while under the ultimate supervision of a
32 licensed nursing home administrator, the application of executive duties and skills in the field of
33 institutional administration which demonstrates qualification to serve as a nursing home
34 administrator.

35 b. In order to establish supervised direct management experience, the applicant must prove
36 that, while under the ultimate supervision of a licensed nursing home administrator, he or she by
37 performed performing in the role of an executive manager, performing the same duties and skills;
38 expected of a Florida licensed nursing home administrator including, at a minimum, the primary
39 direction of all facility departments of:

40 1. human resources, including recruiting, selecting, staffing, educating and developing
41 managers so goals of each department are accomplished, and conducting performance appraisals
42 for all department managers;

43 2. the staffing, budgeting, and directing of resident care;

44 3. dietary;

45 4. and accounting/bookkeeping, including budgeting and internal controls;

46 5. life safety;

47 6. maintenance and housekeeping; and,

48 7. therapies programs, departments

49 c. All duties performed by an applicant under this subparagraph must be performed within a
50 skilled nursing facility, hospital, hospice, or assisted living facility with a minimum of 60
51 licensed beds, or geriatric residential treatment program of at least 60 beds. Each applicant who

1 claims one year's supervised direct management experience would be individually reviewed on a
2 case-by-case basis by the full board to determine if that applicant's experience meets the
3 requirements of this rule. If, however, such experience is not in a skilled nursing facility the
4 applicant must complete the requirements of a 1,000-hour nursing home administrator-in-training
5 program approved by the Board.

6 (3) To establish eligibility for licensure as a nursing home administrator by endorsement
7 under Section 468.1705, F.S., the applicant must successfully pass the required examinations in
8 subsection (1); and

9 (a) Hold a valid active license to practice nursing home administration in another state,
10 provided that the current requirements for licensure in that state are substantially equivalent to, or
11 more stringent than, the current requirements in the state of Florida; and

12 (b) Have practiced as a nursing home administrator for 2 years within the 5-year period
13 immediately preceding the application by endorsement.

14 *Rulemaking Specific Authority 456.017, 468.1685(1), 468.1695(1), (2) FS. Law Implemented*
15 *456.017, 468.1685(2) 468.1695(1), (2), 468.1705 FS. History—New 12-26-79, Amended 3-1-82, 7-*
16 *29-82, Formerly 21Z-11.02, Amended 1-18-87, 6-2-87, 12-3-90, Formerly 21Z-11.002, 61G12-*
17 *11.002, Amended 7-16-95, Formerly 59T-11.002, Amended 5-15-00, 11-6-02, 8-30-05, 11-8-*
18 *07,_____.*

19
20 Ms. Carol Berkowitz with Leading Age was in agreement with the change.

21
22 Ms. Peggy Rigsby, Florida Healthcare Association, indicated that she would like to see the board
23 provide guidelines for the one year executive management experience.

24
25 Board agreed.

26
27 **Ms. Francoeur moved to approve the changes in the language and issue a notice of change**
28 **to Rule 64B10-11.002, F.A.C.**

29
30 **64B10-16.001, F.A.C.**

31
32 Mr. Harris provided an overview of filed Notice of Proposed Rule.

33
34 **64B10-16.001 General Information**

35 (1) No change.

36 (2) An applicant for the AIT program must meet those qualifications established by Section
37 468.1695, F.S., at the time of application, including completion of an Administrator in Training
38 Application, form DH-MQA-NHA003 (Revised 11/2012 ~~10/2007~~), hereby adopted and
39 incorporated by reference, and pay the application fee specified in Rule 64B10-12.013, F.A.C.
40 The form ~~Form DH-MQA-NHA003~~ can be obtained from the ~~Board of Nursing Home~~
41 ~~Administrators'~~ web at http://www.doh.state.fl.us/mqa/nurshome/ap_instr.pdf.
42 ~~http://www.doh.state.fl.us/mqa/nurshome/index.html~~. The applicant is required to indicate ~~on~~
43 ~~form DH-MQA-NHA003 (Revised 10/2007)~~ whether the applicant is applying for the AIT 1000-
44 hour program or the AIT 2000-hour program as referenced in Rule 64B10-11.002, F.A.C.

45 (3) through (4) No change.

46 (5) The AIT shall serve his/her training in a normal work-week, containing a minimum of 30
47 hours and a maximum of 50 hours, with not less than six hours to be served daily between the
48 hours of 7:00 a.m. and 10:00 p.m., except that during the year a minimum of 40 hours and a
49 maximum of 160 hours are to be served between 10:00 p.m. and 7:00 a.m.

1 (6) through (10) No change.

2 (11) Both the AIT and the Preceptor must report any discontinuance of training to the
3 Board within 10 days. Failure to do so may subject the Preceptor to disciplinary action.

4 (12) No change.

5 (13) One member of the Board shall function as a Monitor of each AIT program. More than
6 one Board member may function as a Monitor, but only one Monitor shall be assigned to each
7 AIT program. Each board member who functions as a Monitor shall be a licensed nursing home
8 administrator. The Monitor shall evaluate the progress of the AIT in the AIT program in the
9 following manner: The Monitor shall review the quarterly reports, and information required by
10 Rule 64B10-16.005, F.A.C., maintain communication with the AIT and Preceptor, and report to
11 the Board on the progress of the AIT. The Board shall not certify an AIT for examination unless
12 the Monitor notifies the Board that the AIT has satisfactorily completed the AIT program. The
13 Board shall require the AIT to do further work toward meeting objectives or attaining the core of
14 knowledge, or to work with a different Preceptor, if reports and progress in the program are
15 inadequate.

16 (a) The Monitor shall review the quarterly reports, and information required by Rule 64B10-
17 16.005, F.A.C.;

18 (b) The Monitor shall determine whether the report and information submitted meet the
19 requirements of Rule 64B10-16.005, F.A.C. for each quarter;

20 (c) Should the Monitor determine the requirements of Rule 64B10-16.005, F.A.C., have not
21 been met, the Monitor shall take one or more of the following actions:

22 1. Refuse to accept the report;

23 2. Refuse to award the AIT credit toward the AIT program for hours completed within the
24 quarter;

25 3. Require the AIT and preceptor to revise and resubmit the report;

26 4. Require the AIT and/or preceptor to submit additional documentation demonstrating hours
27 completed in each domain area for that quarter; and/or

28 5. Require the AIT to complete additional hours in specified domain areas.

29 (d) The Monitor shall maintain communication with the AIT and Preceptor, and report to the
30 Board on the progress of the AIT.

31 (e) The Monitor shall notify the Board whether the AIT has satisfactorily completed the AIT
32 program.

33 1. The Board shall not certify an AIT for examination unless the Monitor notifies the Board
34 that the AIT has satisfactorily completed the AIT program.

35 2. The Board shall require the AIT to do further work toward meeting objectives or attaining
36 the core of knowledge, or to work with a different Preceptor, if reports and progress in the
37 program are inadequate.

38 Rulemaking Authority 468.1685(1), 468.1695(2) FS. Law Implemented 468.1695(2) FS.
39 History--New 9-24-81, Formerly 21Z-16.01, Amended 12-18-88, 1-22-90, 11-11-92, 12-18-88, 1-
40 22-90, 11-11-92, Formerly 21Z-16.001, Amended 8-29-93, Formerly 61G12-16.001, Amended 6-
41 2-96, Formerly 59T-16.001, Amended 10-12-97, 6-5-07, 11-9-08, 1-7-10,_____.

43 The board decided to table the action until Ms. Freeman had an opportunity to review the entire
44 application.

45
46 Ms. Freeman requested Mr. Miller to forward the application for her to review and provided any
47 recommended changes to the next board meeting.

1
2 **CS for SB 248 – Impaired Licensees and Applicants**
3

4 Mr. Harris provided an overview of the CS for SB 248 in determining if the board wanted to
5 continue reviewing the applicants prior to submitting the applications for possible evaluation.
6

7 The board agreed to continue reviewing the applicants first.
8

9 **456.023 Exemption for certain out-of-state or foreign professionals; limited practice**
10 **permitted.--**

11 (1) A professional of any other state or of any territory or other jurisdiction of the United States
12 or of any other nation or foreign jurisdiction is exempt from the requirements of licensure under
13 this chapter and the applicable professional practice act under the agency with regulatory
14 jurisdiction over the profession if that profession is regulated in this state under the agency with
15 regulatory jurisdiction over the profession and if that person:

16 (a) Holds, if so required in the jurisdiction in which that person practices, an active license to
17 practice that profession.

18 (b) Engages in the active practice of that profession outside the state.

19 (c) Is employed or designated in that professional capacity by a sports entity visiting the state for
20 a specific sporting event.

21 (2) A professional's practice under this section is limited to the members, coaches, and staff of
22 the team for which that professional is employed or designated and to any animals used if the
23 sporting event for which that professional is employed or designated involves animals. A
24 professional practicing under authority of this section shall not have practice privileges in any
25 licensed health care facility or veterinary facility without the approval of that facility.

26 **History.**--s. 57, ch. 97-261; s. 53, ch. 2000-160.

27 **Note.**--Former s. 455.584.
28

29 There was no action by the board.
30

31 **Rulemaking to Address Public Comment Requirements set by Senate Bill 50**
32

33 **Mr. Harris provided an overview of the language the Board of Medicine had submitted.**
34

35 **64B10-?.???**
36

37 The Board of Nursing Home Administrators invites and encourages all members of the public to
38 provide comment on matters or propositions before the Board or a committee of the Board. The
39 opportunity to provide comment shall be subject to the following:

40 (1) Members of the public will be given an opportunity to provide comment on subject matters
41 before the Board after an agenda item is introduced at a properly noticed board meeting.

42 (2) Members of the public shall be limited to three (3) minutes to provide comment. This time
43 shall not include time spent by the presenter responding to questions posed by Board
44 members, staff or board counsel. The chair of the Board may extend the time to provide
45 comment if time permits.

46 (3) Members of the public shall notify board staff in writing of his or her interest to be heard on a
47 proposition or matter before the Board. The notification shall identify the person or entity,
48 indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or
49 faction of persons consisting of three (3) or more persons. Any person or entity appearing
50 before the Board may use a pseudonym if he or she does not wish to be identified.
51

1 Ms. Freeman moved to issue a Notice for Rule Development and to adopt the above
2 language as presented. The motion was seconded and carried 3/0.

3
4 Ms. Freeman moved that the proposed rule would not have any adverse impacts on small
5 businesses and the proposed rule would not be likely to directly or indirectly increase
6 regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate
7 in Florida within 1 year after the implementation of the rule. The motion was seconded and
8 carried 3/0.

9
10 Mr. Rosenthal moved that the action was based on his knowledge as a board member. The
11 motion was seconded and carried 3/0.

12
13 **64B10-15.001, F.A.C.**

14
15 **64B10-15.001 Continuing Education for Licensure Renewal.**

16 (1) All licensed Nursing Home Administrators shall be required to obtain continuing
17 education which contributes to increasing or enhancing the license-holder's professional skill or
18 which enables the license-holder to keep abreast of changes that affect the field of nursing home
19 administration.

20 (2) Each license-holder shall complete forty (40) contact hours of continuing education in
21 accordance with these rules.

22 (3) Each licensee shall be responsible for maintaining the documentation to prove his/her
23 compliance with the continuing education requirements for a period of four years and shall
24 provide such documentation to the Department upon request.

25 (4) The Department shall audit at random a number of licensees to ensure that the continuing
26 education requirements are met.

27 (5) A licensee who attends a meeting of a national association involved in the establishment
28 of standards of practice or the regulation of nursing home administrators may apply to the Board
29 for approval. In order to receive approval, the licensee must submit a written statement to the
30 Board within 60 days of attendance or participation in said conference, stating the name of the
31 organization, dates of attendance, and a brief statement as to how the course contributed to the
32 enhancement of the licensee's skills. The Board may approve up to 5 hours of continuing
33 education per year under this subsection.

34 (6) Three hours of continuing education may be obtained by the any of the following:

35 (a) Attending one full day of a Board meeting in compliance with the following:

36 1. The licensee must sign in with the Executive Director/Program Operations Administrator
37 of the Board before the meeting day begins.

38 2. The licensee must remain in continuous attendance.

39 3. The licensee must sign out with the Executive Director/Program Operations Administrator
40 at the end of the meeting. A licensee shall receive continuing education credit in risk management
41 for attending a board meeting at which another licensee is disciplined. ~~A licensee may also be~~
42 ~~granted continuing education hours if he or she serves as a volunteer expert witness for the~~
43 ~~department in a disciplinary case, or if he or she serves as a member of a probable cause panel~~
44 ~~after the expiration of the Board member's term.~~

45 (b) Serve as a volunteer expert witness for the department in a disciplinary case; or

46 (c) ~~Serve as a member of a probable cause panel after expiration of the Board member's term.~~

47 (7) Licensees who participate in the development of Florida exam questions may be awarded
48 up to five hours of continuing education credit, comprised of two (2) hours of laws and rules and
49 three (3) hours optional, upon request of the Board.

1 (8) Former Board members who serve on probable cause panels shall receive three hours of
2 continuing education per meeting with a maximum of 12 hours of continuing education credit
3 ~~pursuant to subpart (6)(e)~~, in the Laws, Regulatory Codes and Governing Boards domain of
4 practice, for each full or partial biennium served on the probable cause panel.

5 (9) Any licensee presenting a continuing education course shall earn the same amount of
6 contact hours as the attendees up to a maximum of 12 contact hours per biennium.

7 (10) Board members shall receive 12 hours of continuing education credit in the Laws,
8 Regulatory Codes and Governing Boards domain of practice, for each full or partial biennium
9 served on the Board.

10
11 *Rulemaking Authority 468.1685(1), 468.1715(3) FS. Law Implemented 456.013(6), 468.1715(3)*
12 *FS. History—New 12-11-80, Amended 2-20-83, 5-2-84, Formerly 21Z-15.01, Amended 12-31-86,*
13 *2-26-89, 11-19-91, Formerly 21Z-15.001, 61G12-15.001, Amended 9-4-96, 10-20-96, 7-21-97,*
14 *Formerly 59T-15.001, Amended 5-15-00, 11-4-02, 5-7-06, 4-8-07, 10-24-07, 10-11-10, 8-8-13, __*
15 *_____.*

16
17 (6) Three hours of continuing education may be obtained by the any of the following:

18 (a) Attending one full day of a Board meeting in compliance with the following:

19 1. The licensee must sign in with the Executive Director/Program Operations Administrator of the
20 Board before the meeting day begins.

21 2. The licensee must remain in continuous attendance.

22 3. The licensee must sign out with the Executive Director/Program Operations Administrator at
23 the end of the meeting. A licensee shall receive continuing education credit in risk management
24 for attending a board meeting at which another licensee is disciplined. ~~A licensee may also be~~
25 ~~granted continuing education hours if he or she serves as a volunteer expert witness for the~~
26 ~~department in a disciplinary case, or if he or she serves as a member of a probable cause panel~~
27 ~~after the expiration of the Board member's term.~~

28 (b) ~~Serve~~^{being} as a volunteer expert witness for the department in a disciplinary case. ~~;~~ ~~or~~

29 ~~(c) Serve as a member of a probable cause panel after expiration of the Board member's term.~~

30 (7) Licensees who participate in the development of Florida exam questions may be awarded up
31 to five hours of continuing education credit, comprised of two (2) hours of laws and rules and
32 three (3) hours optional, upon request of the Board.

33 (8) Former Board members who serve on probable cause panels shall receive three hours of
34 continuing education per probable cause panel meeting with a maximum of 12 hours of
35 continuing education credit ~~pursuant to subpart (6)(e)~~, in the Laws, Regulatory Codes and
36 Governing Boards domain of practice, for each full or partial biennium served on the probable
37 cause panel.

38
39 **Ms. Freeman moved to Notice for Rule Development and to adopt the above changes as**
40 **presented. The motion was seconded and carried 3/0.**

41
42 **Ms. Francouer moved that the proposed rule would not have any adverse impacts on small**
43 **businesses and the proposed rule would not be likely to directly or indirectly increase**
44 **regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate**
45 **in Florida within 1 year after the implementation of the rule. The motion was seconded and**
46 **carried 3/0.**

47
48 **Mr. Rosenthal moved that the action was based on your knowledge as a board member. The**
49 **motion was seconded and carried 3/0.**

1 **64B10-15.0021**

2
3 **64B10-15.0021 Approved Providers.**

4 (1) To become a continuing education provider, the applicant shall submit an application for
5 approval at least 120 days prior to presenting continuing education programs or courses.
6 Continuing education offered prior to obtaining approved provider status shall not be granted
7 credit.

8 (2) The applicant seeking approval status shall submit to the board the following:

9 (a) Course outline;

10 (b) Learning objectives;

11 (c) Domain(s) of Practice;

12 (d) Sample evaluation form;

13 (e) Method of presentation;

14 (f) Curriculum vitae of the course speakers or instructors; ~~and~~

15 (g) Agenda; ~~and-~~

16 (h) Evidence that the fee specified in Rule 64B10-12.017, F.A.C., has been paid by the
17 provider or sponsor.

18 (3) All approved providers shall provide to each licensee attending a course a certificate of
19 attendance.

20 ~~(4) The approved continuing education provider shall be granted authority to give continuing~~
21 ~~education courses and the board will conduct audits for cause and randomly during renewal of the~~
22 ~~continuing education programs.~~

23 (5) The Board shall deny continuing education provider status to any applicant who submits
24 false, misleading or deceptive information or documentation to the Board or whose proposed
25 sample program fails to comply with all the provisions of Rule 64B10-15.002, F.A.C.

26 (6) The licensee seeking approval status of a continuing education program shall submit to
27 the Board the following information:

28 (a) Compliance with the criteria or course content ~~content~~ specified in paragraphs (2)(a)-
29 ~~(g)(h)~~ above and date and time of each course; or

30 (b) Submission of the course number if the program previously has been approved by the
31 National Association of Long Term Care Administrator Boards (NAB).

32 *Rulemaking Authority 468.1685, 468.1725 FS. Law Implemented 456.1685(5), 468.1715,*
33 *468.1725 FS. History—New 2-20-83, Amended 7-31-84, Formerly 21Z-15.021, Amended 3-5-89,*
34 *3-15-90, Formerly 21Z-15.0021, 61G12-15.0021, 59T-15.0021, Amended 11-15-99, 8-9-04, 3-14-*
35 *06, 3-17-08,_____.*
36

37 The members requested staff to research other professions to determine if they have auto
38 approved providers. If so, how are they handling them when publishing courses?
39

40 Mr. Rosenthal left the meeting due to travel arrangements.

41
42 **General Business ended: 2:53 p.m.**

43 **Application started: 2:53 p.m.**
44

45 **RATIFICATION OF LICENSURE:**

- 46
47 • **Nursing Home Administrators**
48 **(Spring Kaimanu Rosen, NHA 5430 – Diana L Bailey, NHA 5481)**
49

1 **Ms. Francoeur moved to approve the ratification list as presented. The motion was**
2 **seconded and carried 2/0.**

- 3
- 4 • **Administrator-in-Training**
5 **(Marie Emelyne Cherenfant – Shelley Rogers)**
- 6

7 **Ms. Francoeur moved to approve the ratification list as presented. The motion was**
8 **seconded and carried 2/0.**

- 9
- 10 • **Examination**
11 **(Miguel Leonidas Ardila – Kevin Randall Titus)**
- 12

13 **Ms. Francoeur moved to approve the ratification list as presented. The motion was**
14 **seconded and carried 2/0.**

- 15
- 16 • **Preceptors**
17 **(Heather Szmigiel – Ken Angel)**
- 18

19 **Ms. Francoeur moved to approve the ratification list as presented. The motion was**
20 **seconded and carried 2/0.**

21

22 **Applications ended: 2:58 p.m.**
23 **General Business started: 2:58 p.m.**

24

25 **INTRODUCTION OF Penny Ziegler, M.D., PRN Medical Director**

26

27 Dr. Judy Rivenbark, with the Professional Resource Network, (PRN), had provided
28 correspondence informing the board of her retirement and replacement, Dr. Penny Ziegler,
29 Medical Director.

30

31 **CHAIR/VICE CHAIR REPORT:**

32

33 Ms. Freeman commended the board on their continued commitment to the profession. She
34 requested the board to consider reviewing the initial licensure application and provided any
35 recommendations at the next meeting.

36

37 Ms. Freeman provided an overview of the chair/vice-chair meeting that was held in Tallahassee.

38

39 **Information – NAB Revoked the NCERS Certified Provider Status**

40

41 NAB submitted correspondence regarding the revocation of the NCERS Certified Provider status
42 and approval of all continuing education programs as of April 11, 2013.

43

44 Information only.

45

46 **EXECUTIVE DIRECTOR'S REPORT:**

47

48 No report.

49

50 **COMMITTEE REPORTS:**

1 **AIT/Preceptor – Pat Freeman/Bobby Rosenthal**

2
3 Ms. Freeman provided a brief report.

4
5 **Budget – Jeri Francoeur**

6
7 No report.

8
9 **Continuing Education – Jeri Francoeur**

10
11 Ms. Francoeur updated the board on the current continuing education course audit.

12
13 **Providers and Courses Approved by CE Committee**

14
15 **Ms. Francoeur moved to approve the ratification list of providers and courses approved by**
16 **the CE Committee. The motion was seconded and carried 2/0.**

17
18 **Providers and Courses Approved by Staff**

19
20 **Ms. Francoeur moved to approve the ratification list of provider and course approved by**
21 **the Board Staff. The motion was seconded and carried 2/0.**

22
23 **Credentials – Pat Freeman**

24
25 No report.

26
27 **Disciplinary Compliance – Jeri Francoeur**

28
29 No report.

30
31 **Examination – Pat Freeman**

32
33 Ms. Freeman stated that Ms. Jennifer Wenhold, Manager Testing Services with the Bureau of
34 Operations had informed her that any member of the board may individually review the questions
35 on the examination. She suggested the next time the board has a meeting in Tallahassee to
36 designate some time for this review.

37
38 **Probable Cause – Bobby Rosenthal**

39
40 **Stats**

41
42 Information only.

43
44 **Rules – Bobby Rosenthal**

45
46 **Discussion of Rules:**

- 47
48 ○ **64B10-15.001, F.A.C.**
49 ○ **64B10-15.0021, F.A.C.**

50
51 The above rules were discussed earlier in the meeting.

1
2 **Unlicensed Activity – Jeri Francoeur**

3
4 **Activity Report FY – 11-13**

5
6 There was no action necessary by the board.

7
8 **NEXT MEETING DATE:**

9
10 **January 31st – Orlando**

11
12 **ADJOURNMENT:**

13
14 The meeting was adjourned at 3:16 p.m.